

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

TERRELL FRENCH,

Plaintiff,

V.

DR. DAVID PAVLAKOVIC,

Defendant.

Case No. 4:14-cv-01864-VEH-SGC

MEMORANDUM OPINION

The magistrate judge filed a report and recommendation on November 6, 2015, recommending the defendant's motion for summary judgment be granted and the plaintiff's federal claims be dismissed with prejudice. (Doc. 17). The magistrate judge further recommended the court decline to exercise jurisdiction over the plaintiff's state law claims. (*Id.*). The parties were allowed fourteen (14) days to file objections and advised the failure to file objections would bar any later review of the factual findings of the magistrate judge, except for plain error. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion the magistrate judge's report is due to be and hereby is **ADOPTED** and the

recommendation is **ACCEPTED**. The court **EXPRESSLY** finds there are no genuine issues of material fact and the defendant is entitled to judgment as a matter of law on the plaintiff's claims.

Accordingly, the defendant's motion for summary judgment is due to be **GRANTED** and the plaintiff's federal claims are due to be **DISMISSED WITH PREJUDICE**. The plaintiff's state law claims will be **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3). A final judgment will be entered.

DONE this 2nd day of December, 2015.

A handwritten signature in cursive script, appearing to read "V. Emerson Hopkins", written in black ink.

VIRGINIA EMERSON HOPKINS
United States District Judge